

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of:
Wright et al.

Application No.: 09/415,696

Filed: October 12, 1999

For: RECLOSABLE FASTENER
PROFILE SEAL AND METHOD OF
FORMING A FASTENER PROFILE
ASSEMBLY

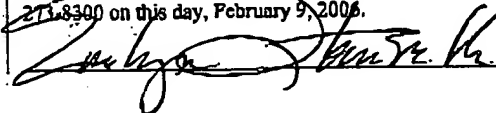
Examiner: Jes Pascua

Group Art Unit: 3727

Our File No.: 21276.00.9044

Certificate of Facsimile Transmission

I hereby certify that this paper is being transmitted via facsimile to:
MAIL STOP Appeal Brief-Patents, Commissioner of Patents at (571)
271-8300 on this day, February 9, 2006.



COMMUNICATION

In response to the telephone communication with Tina Lee, Appellant is submitting herewith the Evidence Appendix and the Related Proceedings Appendix for the above identified matter.

Date:

2/9/06

VEDDER, PRICE, KAUFMAN &
KAMMHOLZ, P.C.
222 North LaSalle Street
Chicago, Illinois 60601
(312) 609-7848
Fax: (312) 609-5005

Respectfully submitted,

By:

Robert S. Beiser

Robert S. Beiser

Registration No. 28,687

ix. Evidence Appendix

Evidence entered by the Examiner and relied on by appellant:

1. U.S. Patent No. 5,071,689 issued to Paul A. Tilman cited by the Examiner in the Office Action of October 24, 2003;
2. Declaration of Tilman submitted September 10, 2003 and entered by the Examiner on October 24, 2003;
3. *Webster's New Collegiate Dictionary*, specifically, the definition of "airtight" cited in the Applicant's Amendment filed on August 30, 2004, not entered by the Examiner, but cited in the Examiner's Answer of September 28, 2005;
4. U.S. Patent No. 3,986,914 issued to Howard cited by the Examiner in the Office Action of October 24, 2003;
5. U.S. Patent No. 6,033,113 issued to Anderson cited by the Examiner in the Office Action of October 24, 2003;
6. *Webster's New Collegiate Dictionary*, specifically, the definition of "barrier" as cited in the Appellant's Reply Brief submitted on November 21, 2005.

X. Related proceedings appendix.

Appeal No. 2003-0068 filed June 17, 2002. Appellant includes:

The inventors - Donald K. Wright, Christine Pemberton, and James Hankins

The Assignee - Com-Pac International, Inc.

Legal Representative - Robert S. Beiser

Application No. 09/415,696.